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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 ROSALBA MAYORGA,

8 Plaintiff,

9 v.

10 STATE OF WASHINGTON, *et al.*,

11 Defendants.

Case No. C17-0934RSL

ORDER DENYING MOTION FOR
POST-JUDGMENT RELIEF

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13 On December 17, 2018, the Court granted defendants' motion for summary judgment and
14 entered judgment in their favor. Dkt. # 46. Plaintiff filed a timely motion to alter or amend the
15 judgment under Rule 59(e) and/or for relief from the judgment under Rule 60.

16 Although plaintiff has identified an error in the Court's prior order – the Court incorrectly
17 stated that plaintiff began working as a social worker for DSHS in 2009, rather than in 1990 –
18 that error does not require an alteration or amendment of the judgment under Rule 59(e).
19 Plaintiff has not shown any substantive error in the prior ruling or presented new facts or legal
20 authority that could not have been brought to the Court's attention with reasonable diligence.
21 LCR 7(h)(1). Rather, plaintiff argues that the Court erred when it credited defendants' version of
22 the facts over contrary allegations in the Second Amended Complaint. Dkt. # 48 at 5. The
23 allegations of the complaint are not evidence, however. After reviewing plaintiff's declaration
24 and the evidence submitted by defendants, the Court found that plaintiff had failed to present
25 evidence from which a reasonable jury could find that defendants acted with discriminatory or
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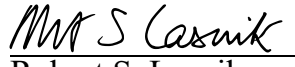
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1 retaliatory intent. Plaintiff has not shown manifest error in that ruling.

2 To the extent plaintiff seeks to have the judgment vacated under Rule 60, she has not
3 identified the grounds for such relief. Plaintiff has not shown mistake, newly discovered
4 evidence, misconduct by defendants, or any other reason justifying relief from the judgment
5 other than the fact that she disagrees with it. Nor does she argue that the judgment is void or has
6 been satisfied. Relief is not available under Rule 60.

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8 For all of the foregoing reasons, plaintiff's motion for post-judgment relief is DENIED.

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10 Dated this 25th day of February, 2019.

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12 Robert S. Lasnik
13 United States District Judge
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